



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Garry Bredefeld**, Acting Council President  
**Chris Mathys**,  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquillo**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, SEPTEMBER 19, 2000**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

## **9:00 A.M. COUNCIL ROLL CALL**

Invocation by Father Vahan Gosdanian of the Holy Trinity Armenian Apostolic Church

Pledge of Allegiance to the Flag

Proclamation of "EVERETT GASTON DAY" - Councilmember Mathys

Proclamation of "DIABETICS AWARENESS DAY IN THE CITY OF FRESNO" - Mayor Patterson and All Councilmembers

Proclamation of "VOTER REGISTRATION WEEK" - Councilmember Ronquillo

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve City Council minutes of August 29, 2000

**Action Taken:**

## **MEETING OF THE JOINT POWERS FINANCING AUTHORITY**

- a. Approve Joint Powers Financing Authority minutes of September 14, 2000  
(Approval by Members Ronquillo and Steitz)

**Action Taken:**

- b. ADJOURNMENT

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS**

**10:00 A.M. HEARING** to consider Rezoning Application No. R-00-20 and environmental findings, filed by Norman and Iola Mae Liddell, for 6.69 acres located on the east side of N. Polk Avenue, south of San Joaquin River Bluff

**Action Taken:**

- a. **BILL** - Amending the Official Zone Map to rezone property from the AE-20/BP/UGM zone district to the R-1-C/BP/UGM zone district

**Action Taken:**

**10:15 A.M. HEARING** to consider Plan Amendment Application No. A-00-09 and environmental findings, filed by Waterford Foundation, for 4.8 acres located at 2095 E. Nees Avenue, on the south side of E. Nees Avenue, east of N. Maple Avenue

**Action Taken:**

- a. Consider Environmental Assessment/Negative Declaration No. A-00-09, R-00-21, C-00-147 dated August 8, 2000

**Action Taken:**

- b. **RESOLUTION** - Amending the Woodward Park Community Plan

**Action Taken:**

**11:00 A.M.** Presentation by COG relating to the Herndon Avenue Specific Study

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:30 A.M. HEARING** to consider Rezoning Application No. R-00-23 and environmental findings, filed by Rod DeLuca Construction, for the development of 4.6 acres located on the east side of N. Marks Avenue between W. Herndon and W. Sierra Avenues (VTT-4964)

**Action Taken:**

- a. **BILL** - Amending the Official Zone Map to rezone property from the R-A zone district to the R-1-C zone district

**Action Taken:**

**3:15 P.M.** Appearance by Norman Pimentel to discuss and request action relating to the crime problems at Fresno High School and the surrounding neighborhood

**Action Taken:**

**3:20 P.M.** Appearance by Barbara Hunt to request a response by Council on the numerous deaths listed in the daily newspaper

**Action Taken:**

**3:30 A.M. **CLOSED SESSION****

**A. CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6 (Councilmember Quintero)

**City Negotiator(s):** Jorge Aguiniga and Andrew T. Souza

**Employee Organization(s):**

1. Fresno Police Officers Association Non-Supervisory Police (FPOA)
2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
3. Amalgamated Transit Union, Local 127 (ATU)
4. International Association of Firefighters, Local 753 Fire Management (IAFF)

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Jess Antunez v. City of Fresno
2. **Case Name:** City of Fresno Valley Hotel-Motel Association v. City of Fresno
3. **Case Name:** Myrna Loran v. City of Fresno
4. **Case Name:** A.H.D.C. v. City of Fresno, et al. (Acting President Bredefeld)

**Action Taken:**

**C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)

**Significant Exposure to Litigation:**

1. **Case Name:** City of Fresno v. Lombardi, et al.

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

3:45 P.M.

**DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**4:00 P.M. HEARING** to consider Planning Commission action approving Conditional Use Permit Application No. C-00-127 and Categorical Exemption, filed by Xeng Pao Moua/Ed Erganian, to authorize the sale of alcoholic beverages at an existing mini-mart on property located at 335 W. Olive Avenue

**Action Taken:**

a. Consider Environmental Assessment No. C-00-127

**Action Taken:**

b. Consider approval/disapproval or other action on Conditional Use Permit Application No. C-00-127

**Action Taken:**

**5:00 P.M. HEARING** to consider Plan Amendment Application No. A-00-07, Rezoning Application No. R-00-13, and environmental findings, filed by Halferty Development, for 12.5 acres located on the southeast corner of N. Brawley and W. Herndon Avenues

**Action Taken:**

a. Consider Environmental Assessment/Mitigated Negative Declaration No. A-00-07, R-00-13, C-00-108 dated July 19, 2000

**Action Taken:**

b. **RESOLUTION** - Amending the Bullard Community Plan

**Action Taken:**

c. **BILL** - Amending the Official Zone Map to rezone property from the AE-5/UGM zone district to the C-2/EA/UGM and R-1-B/UGM zone districts

**Action Taken:**

**1A. GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 3:45 P.M.)

1. Award a requirements contract for Fresno Area Express (FAX) schedule guides

**Action Taken:**

2. Reject low bid and award a contract for three (3) new class 8 dump trucks

**Action Taken:**

3. \* **RESOLUTION** - 25<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$95,000 of the State of California Department of Alcoholic Beverage Control Funds for the Fresno Police Department's ABC Grant and Shoulder Tap Programs (*Requires 5 affirmative votes*)

**Action Taken:**

4. \* **RESOLUTION** - 38<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$112,700 to undertake the Juvenile

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**Action Taken:**

1A. **GENERAL CONSENT CALENDAR CONTINUED**

5. \* **RESOLUTION** - 39<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$100,000 to fund the approved agreement with the Taylor Group for design cost estimates for the first phase of modernizing the old exhibit hall (*Requires 5 affirmative votes*)  
**Action Taken:**
6. Approve acquisition of property for Pump Station No. 48, located in the 300 block of S. Chestnut Avenue, between E. Fillmore and E. Huntington Avenues  
**Action Taken:**
7. \* **RESOLUTION** - Ordering the summary vacation of a portion of a water main easement at St. Agnes Hospital  
**Action Taken:**
8. Approval of a Lease Agreement with West America Bank  
**Action Taken:**
  - a. \* **RESOLUTION** - 41<sup>st</sup> amendment to AAR No. 2000-183 appropriating \$310,700 from contingency to improvements and furniture and fixtures for the purpose of funding improvement and furnishing costs for the new location of the Airports Administration Office (*Requires 5 affirmative votes*)  
**Action Taken:**
9. **RESOLUTION** - Approving Fresno Yosemite International Airport acceptance of Federal Aviation Administration Grant Offer No. 3-06-0087-34 for terminal and concourse entitlement improvements and air cargo discretionary improvements and authorize the Director of Transportation or Director's designee thereof to execute all required documentation  
**Action Taken:**
  - a. \* **RESOLUTION** - 40<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$4,727,300 to accept a Discretionary Grant Offer from the Federal Aviation Administration for air cargo improvements to the Fresno Yosemite International Airport under Airport Improvement Project No. 00-1-3-06-0087-34 (AIP-34) (*Requires 5 affirmative votes*)  
**Action Taken:**
10. **RESOLUTION** - Approving Fresno Yosemite International Airport acceptance of Federal Aviation Administration Grant Offer No. 3-06-0087-33 for FAR Part 150 Noise Compatibility Program acoustical insulation of approximately 50 homes and authorize the Director of Transportation or Director's designee thereof to execute all required documentation  
**Action Taken:**

**1A. GENERAL CONSENT CALENDAR CONTINUED**

- 11. RESOLUTION** - Approve Fresno-Chandler Downtown Airport acceptance of Federal Aviation Administration Grant Offer No. 3-06-0088-04 for beacon replacement, ramp and taxiway reconstruction and upgrade of airfield lighting system, acceptance of grant match funding from State of California Department of Transportation Aeronautics Program and authorize the Director of Transportation or Director's designee thereof to execute all required documentation  
**Action Taken:**
- a. RESOLUTION** - Accepting the offer of the Grant Agreement for Airport Improvement Program Project No. 3-06-0088-04 and authorize the Director of Transportation or Director's designee thereof to execute all required documentation  
**Action Taken:**
- 12. RESOLUTION** - Approving Local Cooperation Agreement between Chukchansi Indian Housing Authority and the City of Fresno  
**Action Taken:**
- 13. \* RESOLUTION** - 3<sup>rd</sup> amendment to Salary Resolution No. 2000-186 creating a new class entitled Emergency Preparedness Officer  
**Action Taken:**
- 14.** Determination of the cancellation fee related to the partial cancellation of an Agricultural Land Conservation Contract No. 8 for 4.97 acres, a portion of the Central Valley Business Park proposed at the southwest corner of E. North and S. Orange Avenues  
**Action Taken:**
- 15.** Approve the exchange of land at Fresno Chandler Downtown Airport involving Fresno Metropolitan Flood Control District, AmeriPride Services, Inc. and the City/Airports to establish a ponding basin and acquire land in the approach zone  
**Action Taken:**
- 16.** Approve an amendment to a professional services agreement with Reinard W. Brandley for design of airfield lighting components, remote control system and Runway 29R threshold relocation and lighting improvements - AIP Grant No. 3-06-0087-29  
**Action Taken:**
- 17. \* RESOLUTION** - 27<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$1,255,000 of unobligated LLEBG 99 Funds from FY 2000 and additional interest from LLEBG 98 to continue the activities approved under LLEBG 99 Program (*Requires 5 affirmative votes*)  
**Action Taken:**
- 18. RESOLUTION** - Establishing procedure for City Engineer and City Clerk or their designees to authorize and certify resolutions of vacation in right-of-way sections; related housekeeping procedures  
**Action Taken:**

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1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Request to set a public hearing(s) to consider General Plan (Last week in November)

**Action Taken:**

- B. Approve Council Subcommittee's Social Service Funding recommendations for FY 2000-2001

**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Consider approval for a Council override vote of Resolution No. 2000-249 vetoed by Mayor Patterson on September 11, 2000 (*Council action to override Mayoral veto requires 5 affirmative votes*) - Councilmember Ronquillo

**Action Taken:**

1. **RESOLUTION NO. 2000-249** - 35<sup>th</sup> amendment to AAR No. 2000-183 to increase various Council District infrastructure and capital funds based on the unexpended balances in FY 2000 infrastructure and capital budgets

**Action Taken:**

- B. Consider approval for a Council override vote of Resolution Nos. 2000-256 and 2000-257 vetoed by Mayor Patterson on September 11, 2000 (*Council action to override Mayoral veto requires 5 affirmative votes*) - Council President Boyajian

**Action Taken:**

1. **RESOLUTION NO. 2000-256** - 6<sup>th</sup> amendment to PAR NO 2000-184 adding 2 positions to reinstall parking meters and provide on-going collection and maintenance of meters

**Action Taken:**

2. **RESOLUTION NO. 2000-257** - 33<sup>rd</sup> amendment to AAR No. 2000-183 appropriating \$25,000 to complete funding for the reinstallation of parking meters in the downtown area

**Action Taken:**

- C. Proposed appointment of Jeff Barrett to the West Area Community Plan (*For introduction*) - Council President Boyajian

**Action Taken:**

- D. Request the City Manager to prepare an ordinance to restrict parking of semi-trucks with refrigerated units

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in residential areas - Councilmember Mathys

**Action Taken:**

5. **CITY COUNCIL ITEMS CONTINUED**

- E. Request the City Manager to begin the process to take all actions and return to Council within 30 days with any and all documents and studies which may be needed to amend plans and policies and appropriate funds for the removal of the Peach-Butler diverter - funding source to be paid by District 5's infrastructure budget - Councilmember Quintero  
**Action Taken:**
- F. Discuss the selection of an independent auditor to review all UGM accounts to determine proper receipt, allocation of funds and current balance of all accounts - Councilmember Perea and Acting President Bredefeld  
**Action Taken:**
- G. Direct staff to review agreement with the County regarding the \$1 million commitment to the juvenile facility in light of recent County decision to build a new juvenile facility in Fresno - Councilmember Perea  
**Action Taken:**
- H. \* **RESOLUTION** - 36<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$14,800 of District 5's general fund infrastructure to fund various community programs (***Requires 5 affirmative votes***) - Councilmember Quintero  
**Action Taken:**
- I. Request the City Attorney's Office to enforce the City ordinance of commercial property that is vacant and blighted for the last two years - Council President Boyajian  
**Action Taken:**
- J. **BILL - (For introduction)** - Amending Subsection (h) of Section 13-412 of the Fresno Municipal Code relating to Historic Resources - Councilmember Steitz  
**Action Taken:**
- K. \* **RESOLUTION** - 42nd amendment to AAR NO. 2000-183 appropriating \$500 of District 3's general fund infrastructure budget, \$300 of District 4's general fund infrastructure budget, \$500 of District 5's general fund infrastructure budget, and \$500 of District 6's general fund infrastructure budget to fund the Fresno-Kochi, Japan Sister City Association Banquet (***Requires 5 affirmative votes***) - Councilmembers Ronquillo, Steitz, Quintero and Acting President Bredefeld  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department

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at least 10 days prior to the desired date of appearance.

<b>SCHEDULED COUNCIL HEARINGS AND MATTERS</b>
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- Sept. 26 - 10:00 A.M. HEARING** re: Behymer/Maple Reorganization No. 3, filed by the City of Fresno
- Sept. 26 - 10:15 A.M.** Presentation by COG relating to the Highway 99 beautification
- Sept. 26 - 11:00 A.M. HEARING** re: Resolution of Necessity, APN 301-101-03, 04 and 05
- Sept. 26 - 11:30 A.M.** Consideration of cardroom permit application of David Chanduloy (Duke's Cardroom, 2039 Kern Street)
- Sept. 26 - 2:30 P.M. JOINT HEARING** re: the review of the Disposition and Development Agreement betw. the RDA and City of Fresno for the development of a publicly-owned multipurpose stadium
- Oct. 3 - 10:00 A.M. HEARING** re: P.A. No. A-99-32, Rezone Appl. No. R-99-48, filed by Roger Petersen
- Oct. 3 - 10:15 A.M. HEARING** re: Rezone Appl. No. R-00-022, filed by N & S Neurology Center
- Oct. 3 - 10:20 A.M. HEARING** re: Rezone Appl. No. R-00-024, filed by Paul and Susan Lucich
- Oct. 3 - 10:25 A.M. HEARING** re: Rezone Appl. No. R-00-26, filed by Vineyard Christian Fellowship of Clovis
- Oct. 10 - NO MEETING**
- Oct. 17 - CONTINUED HEARING** re: Rezoning Appl. No. R-00-011, filed by Richard C. Ginder, Jr./W.G. Enterprises, for approximately one (1) acre of real property, located at 6875 N. Milburn Avenue
- Oct. 24 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Fall Quarter (*Reception immediately following - 2<sup>nd</sup> floor foyer*)
- Oct. 31 - 10:00 A.M.** Presentation of Employee Service Awards (*Reception immediately following - 2<sup>nd</sup> floor foyer*)

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